

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AECON BUILDINGS, INC.,

Plaintiff,

v.

ZURICH NORTH AMERICA, et al.,

Defendants.

Case No. C07-832MJP

ORDER GRANTING IN PART
PLAINTIFF'S MOTION TO
COMPEL DISCOVERY
RESPONSES FROM
DEFENDANTS HARTFORD
INSURANCE GROUP AND
HARTFORD CASUALTY
INSURANCE COMPANY

This matter comes before the Court on Plaintiff Aecon's motion to compel discovery responses from Defendants Hartford Insurance Group and Hartford Casualty Insurance Company (collectively "Hartford"). (Dkt. No. 53.) Having considered the motion, response (Dkt. No. 57), reply (Dkt. No. 63), all documents submitted in support and the balance of the record, the Court GRANTS IN PART Plaintiff's motion to compel and ORDERS as follows:

- 1) Because the Court did not need to rely on any of the evidence subject to Plaintiff's motion to strike, the motion to strike paragraphs 3, 6, and 8 of the Roland Declaration is moot.
- 2) Within ten (10) calendar days of the date of this order, Hartford must respond to the following discovery requests, as amended by the Court:
 - a) Request for Production No. 2: Produce a true, correct, and complete copy of the entire Chinook (a) underwriting and (b) claims files for the Policies including, but not limited to, all electronic communications and data contained therein or pertaining thereto and all paper or document files.
 - b) Request for Production No. 4: Produce a true, correct, and complete copy of any

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1 and all manuals, guidelines, and policies relating to Hartford's policies, procedures,
2 and/or practices for evaluating and paying claims under liability insurance policies
3 against "additional insureds," in effect during the calendar years of 1998 through
4 2001.

- 5 c) Request for Production No. 5: Produce a true, correct, and complete copy of any
6 and all manuals, guidelines, and policies relating to Hartford's policies, procedures,
7 or practices for communicating insurance claims decisions to insureds, additional
8 insureds, beneficiaries and/or claimants in effect in the calendar years 1998 through
9 2001.
- 10 d) Request for Production No. 6: Produce a true, correct, and complete copy of any
11 and all training materials provided to Hartford claims representatives or adjusters
12 working on this claim in the calendar years 1998 through 2007 inclusive.
- 13 e) Request for Production No. 8: Produce a true, correct, and complete copy of each
14 and every statement that Hartford has obtained in connection with any of the
15 events described in Plaintiff's Complaint and Amended Complaint except those
16 statements made in attorney-client consultation.
- 17 f) Request for Production No. 9: Produce a complete and accurate copy of any and
18 all of Hartford's organizational charts for the Hartford Underwriting and Claims
19 departments for the years 1998 through 2007 inclusive. If Defendants wish to
20 answer that there are no such charts, they must confirm that there are no such
21 responsive materials.

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1 3) Plaintiff's request for fees and costs is GRANTED. Within ten (10) calendar days of this
2 order, Plaintiff shall provide a declaration outlining the fees and costs incurred in bringing
3 this motion.

4 The clerk is directed to send copies of this order to all counsel of record.

5 || Dated: April 25, 2008.


Marsha J. Pechman
United States District Judge

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